

Message Text

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SUBJECT: SATURDAY U.S. PRESS COVERAGE OF TONGSUN PARK
NEGOTIATIONS

FOLLOWING ARE TEXTS OF ARTICLES FROM NEW YORK TIMES,
WASHINGTON POST, AND WASHINGTON STAR SATURDAY, DECEMBER
10:

1. WASHINGTON POST STORY TITLED "JUSTICE NEAR AGREEMENT
ON INTERROGATING PARK":

QUOTE

AFTER MONTHS OF BARGAINING AND A STEADY STREAM
OF RUMORS FROM SEOUL, THE JUSTICE DEPARTMENT AND THE
SOUTH KOREAN GOVERNMENT ARE FINALLY ON THE VERGE OF AN
AGREEMENT FOR OBTAINING TESTIMONY FROM ACCUSED KOREAN
AGENT TONGSUN PARK.

BENJAMIN R. CIVILETTI, HEAD OF THE DEPARTMENT'S
CRIMINAL DIVISION, SAID YESTERDAY IN A TELEPHONE
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INTERVIEW THAT HE WAS HOPEFUL A FINAL AGREEMENT WOULD
BE REACHED BY EARLY NEXT WEEK.

HE SAID THE AGREEMENT WOULD MEAN PARK WOULD BE
INTERROGATED UNDER OATH IN SEOUL, IN THE PRESENCE OF
KOREAN PROSECUTORS, AND THEN BE AVAILABLE TO RETURN TO
THE UNITED STATES TO TESTIFY IN TRIALS OF INDIVIDUALS
ACCUSED OF ACCEPTING ILLEGAL PAYMENTS FROM KOREAN
AGENTS.

A TENTATIVE DATE FOR THE START OF THE INTERROGATION IS DECEMBER 26.

PARK FACES A 36-COUNT FELONY INDICTMENT FOR HIS PART IN THE ALLEGED KOREAN LOBBYING CAMPAIGN IN CONGRESS. THE CHARGES WOULD BE DROPPED IN RETURN FOR HIS TRUTHFUL TESTIMONY, CIVILETTI HAS SAID.

PARK'S SWORN TESTIMONY IN KOREA COULD BE PRESENTED TO A FEDERAL GRAND JURY IN WASHINGTON. JUSTICE DEPARTMENT OFFICIALS HAVE SAID PRIVATELY THAT PARK'S KNOWLEDGE OF THE KOREAN INFLUENCE-BUYING CAMPAIGN COULD LEAD TO SEVERAL MORE INDICTMENTS OF CURRENT OR FORMER MEMBERS OF CONGRESS.

PARK'S ATTORNEY, WILLIAM G. HUNDLEY, SAID LAST NIGHT THAT "I AM SOMEWHAT CONCERNED THAT THE PROPOSED AGREEMENTS DO NOT AFFORD MY CLIENT THE COMPLETE FREEDOM OF MOVEMENT THAT I THINK WOULD BE IN HIS BEST INTEREST."

HUNDLEY HAD PROPOSED THAT PARK BE INTERVIEWED IN A NEUTRAL THIRD COUNTRY, PREFERABLY THE DOMINICAN REPUBLIC, UNCLASSIFIED

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WHERE PARK HAS A HOME.

THE PROPOSED AGREEMENT WOULD, IN EFFECT, KEEP PARK IN THE CUSTODY OF U.S. AUTHORITIES WHILE IN THE UNITED STATES AND CALLS FOR HIS QUICK RETURN TO SOUTH KOREA AFTER ANY TRIALS, ACCORDING TO LEAKED KOREAN VERSIONS OF THEIR TERMS.

CIVILETTI DENIED YESTERDAY THAT ANY AGREEMENT WOULD INCLUDE A PROHIBITION AGAINST PARK TESTIFYING BEFORE CONGRESSIONAL COMMITTEES CONDUCTING PARALLEL INVESTIGATIONS OF UNETHICAL CONDUCT BY MEMBERS.

KOREAN VERSIONS OF THE PENDING AGREEMENT FLOATED FROM SEOUL HAVE INCLUDED SUCH A BAN. "WE'VE MADE IT QUITE CLEAR THAT WE'RE SPEAKING FOR THE JUSTICE DEPARTMENT, NOT THE ENTIRE U.S. GOVERNMENT," CIVILETTI SAID.

THE KOREAN GOVERNMENT HAS STEADFASTLY DENIED THAT PARK EVER HAD ANY CONNECTION WITH THE SEOUL REGIME, BUT HAS BEEN UNDER INCREASING PRESSURE TO MAKE PARK AVAILABLE.

IT IS BELIEVED THE KOREANS FEAR THAT THE COMMITTEES WOULD SPOTLIGHT PARK IN TELEVISED HEARINGS AS SOME KIND OF ORIENTAL JOHN DEAN, THE WHITE HOUSE ATTORNEY WHOSE

TESTIMONY PROVED SO DAMAGING TO THEN PRESIDENT NIXON IN THE WATERGATE SCANDAL.

LEON JAWORSKI, THE SPECIAL PROSECUTOR IN THE WATERGATE CASE AND NOW SPECIAL COUNSEL TO THE HOUSE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT, ISSUED A STATEMENT YESTERDAY WARNING THE KOREAN GOVERNMENT THAT HIS INVESTIGATION ALSO REQUIRED PARK'S TESTIMONY.

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HE SAID MEMBERS WILL "DEPLORE ANY EFFECT TO DEPRIVE THE LEGISLATIVE BRANCH OF ACCESS TO A KEY WITNESS..." IN FACT, JAWORSKI HAS MADE IT CLEAR HE WANTS TESTIMONY FROM OTHER KOREANS, ESPECIALLY FORMER AMBASSADOR KIM DONG JO, AS WELL AS FROM TONGSUN PARK.

MEANWHILE YESTERDAY IN WASHINGTON, U.S. DISTRICT COURT JUDGE THOMAS A. FLANNERY REFUSED TO DISMISS A CONSPIRACY CHARGE AGAINST HANCHO KIM, A WASHINGTON BUSUINESSMAN WHO ALLEGEDLY RECEIVED DOLS 60U,000 FROM THE KOREAN CENTRAL INTELLIGENCE AGENCY TO PAY AND ENTERTAIN U.S. OFFICIALS AND MEMBERS OF CONGRESS.

KIM'S ATTORNEY, DAVID POVICH, SAID THE CONSPIRACY CHARGE DID NOT CITE A CRIME BECAUSE THERE WAS NO ALLEGATION THAT KIM HAD ACTUALLY USED THE MONEY FOR THOSE PURPOSES.

ASSISTANT U.S. ATTORNEY JOHN KOTELLY SAID, HOWEVER, THAT KIM DID NOT HAVE TO USE THE MONEY FOR THE PURPOSE FOR WHICH IT WAS INTENDED TO HAVE COMMITTED A CRIME. INSTEAD, HE MERELY HAD TO HAVE RECEIVED IT WITH A "CORRUPT INTENT," KOTELLY SAID.

FLANNERY ALSO REFUSED YESTERDAY TO TRY THE CONSPIRACY CHARGE SEPARATELY FROM A PREJURY CHARGE AGAINST KIM. KIM ALSO HAS BEEN INDICATED IN BALTIMORE FOR INCOME TAX EVASION. END QUOTE

2. NEW YORK TIMES STORY TITLED "JAWORSKI PROTESTS U.S. PLAN ON KOREAN'S TESTIMONY":

QUOTE
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LEON JAWORSKI, SPECIAL COUNSEL TO THE HOUSE ETHICS COMMITTEE, TODAY OBJECTED TO AN IMPENDING AGREEMENT BETWEEN THE CARTER ADMINISTRATION AND THE SOUTH KOREAN GOVERNMENT THAT WOULD PRECLUDE TESTIMONY BEFORE

CONGRESSIONAL INVESTIGATING COMMITTEES BY TONGSUN PARK,
THE FUGITIVE WITNESS IN THE KOREAN INVESTIGATIONS.

BENJAMIN R. CIVILETTI, THE ASSISTANT ATTORNEY
GENERAL IN CHARGE OF THE JUSTICE DEPARTMENT'S INQUIRY
INTO ALLEGED KOREAN BRIBERY OF AMERICAN CONGRESSMEN
AND OTHER POSSIBLE CRIMES, WAS QUOTED BY REUTERS AS
SAYING THAT AN AGREEMENT WOULD BE REACHED "SOMETIME THIS
WEEKEND OR MONDAY AT THE LATEST."

CRIMINAL CASES ONLY

MR. JAWORSKI, IN A LETTER TO THE KOREAN EMBASSY'S
ATTORNEY HERE, FORMER SENATOR JOHN SHERMAN COOPER,
REPUBLICAN OF KENTUCKY, SAID HE UNDERSTOOD THAT
NEGOTIATIONS BETWEEN AMERICAN AND KOREAN DIPLOMATS IN
SEOUL "CONTEMPLATE THAT MR. PARK WILL NOT BE MADE

AVAILABLE FOR TESTIMONY BEFORE THE COMMITTEE ON
STANDARDS OF OFFICIAL CONDUCT OR ANY OTHER COMMITTEE
OF CONGRESS."

"THESE ARRANGEMENTS, IF AGREED TO, CONSTITUTE AN
ATTEMPT TO PREVENT THE LEGISLATIVE BRANCH FROM ITS RIGHT-
FUL ACCESS TO THE TESTIMONY OF MR. PARK," HE SAID.
FOR THAT REASON, MR. JAWORSKI ADDED, AS SPECIAL COUNSEL,
"I CANNOT ACCEPT THEM."

THERE HAVE BEEN REPEATED REPORTS FROM SEOUL THAT
MR. PARK WILL BE RETURNED TO THE UNITED STATES, WHICH
HAS NO EXTRADITION TREATY WITH SOUTH KOREA, UNDER AN
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AGREEMENT CALLING FOR HIM TO TESTIFY ONLY IN THE COURTS
IN CRIMINAL CASES AGAINST CONGRESSMEN.

MR. PARK, FORMERLY A BUSINESSMAN AND SOCIAL FIGURE
IN WASHINGTON, HAS BEEN INDICTED BY A FEDERAL GRAND JURY
FOR BRIBERY, CONSPIRACY AND FRAUD. HE HAS BEEN
PROMISED IMMUNITY FROM PROSECUTION IF HE TELLS ABOUT
HIS DEALINGS WITH CONGRESSMEN AND OTHERS WHO MAY HAVE
BEEN INVOLVED IN KOREAN EFFORTS TO INFLUENCE AMERICAN
POLICY TOWARD SEOUL THROUGH UNETHICAL OR ILLEGAL
MEANS.

IN ADDITION TO THE HOUSE ETHICS COMMITTEE, THE
SENATE SELECT COMMITTEE ON ETHICS AND THE HOUSE
SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS ARE
INVESTIGATING THE KOREAN AFFAIR. UNQUOTE.

3. THE WASHINGTON STAR STORY TITLED "HILL PROBES
WON'T WAIVE PARK QUIZ -- FLYNT, JAWORSKI REJECT DEAL TO

BYPASS CONGRESS":

QUOTE

TOP INVESTIGATORS FOR THE CONGRESSIONAL COMMITTEE PROBING KOREAN INFLUENCE PEDDLING ON CAPITOL HILL MADE CLEAR YESTERDAY THEY WILL NOT TOLERATE OR HONOR ANY ARRANGEMENT WHICH ATTEMPTS TO PREVENT CONGRESS FROM QUESTIONING TONGSUN PARK SHOULD HE BE RETURNED TO THE UNITED STATES.

IN STRONG TERMS, SPECIAL COUNSEL LEON JAWORSKI AND CHAIRMAN JOHN J. FLYNT JR. OF THE HOUSE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT SAID U.S. OFFICIALS HAVE UNCLASSIFIED

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NO RIGHT TO ENTER INTO ANY AGREEMENT WITH PARK OR THE SOUTH KOREAN GOVERNMENT TO PREVENT HIS CONGRESSIONAL TESTIMONY.

COMMITTEE SOURCES ADDED THAT EVEN IF SUCH AN AGREEMENT IS EXECUTED, JAWORSKI WOULD NOT HESITATE TO USE CONGRESS' INDEPENDENT SUBPOENA POWER TO COMPEL PARK TO TESTIFY. PARK WOULD BE SUBPOENAED AS SOON AS POSSIBLE

AFTER HE REACHED THE UNITED STATES, THE SOURCES SAID.

"WE'RE IN A HURRY HERE," A COMMITTEE INVESTIGATOR SAID. "WE WANT ACCESS TO HIM AS SOON AS HUMANLY POSSIBLE, NOT SOME TRIAL DATE LATE IN THE SPRING." HE MADE CLEAR THE COMMITTEE IS WILLING TO CONFRONT THE JUSTICE DEPARTMENT OR ANY OTHER AGENCY TO SECURE PARK'S TESTIMONY.

JAWORSKI SAID PRESS REPORTS FROM SEOUL AND "OTHER SOURCES OF INFORMATION AVAILABLE TO US" INDICATE CONTINUING NEGOTIATIONS "CONTEMPLATE THAT MR. PARK WILL NOT BE MADE AVAILABLE FOR TESTIMONY BEFORE THE COMMITTEE...OR ANY OTHER COMMITTEE OF CONGRESS.

"THESE ARRANGEMENTS, IF AGREED TO, CONSTITUTE AN ATTEMPT TO PREVENT THE LEGISLATIVE BRANCH FROM ITS RIGHTFUL ACCESS TO THE TESTIMONY OF MR. PARK," JAWORSKI SAID IN A STATEMENT TO ATTORNEYS FOR THE SOUTH KOREAN EMBASSY IN WASHINGTON. "...I CANNOT ACCEPT THEM," HE SAID.

BOTH JAWORSKI AND FLYNT EMPHASIZED THAT CONGRESS WOULD NOT BE BOUND BY SUCH AN AGREEMENT AND INDICATED THAT, HOUSE MEMBERS WOULD TAKE A DIM VIEW, EXPRESSED PERHAPS IN LEGISLATIVE ACTION, OF STEPS PERCEIVED AS BLOCKING THE PATH OF THE CONGRESSIONAL

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INVESTIGATION.

"ANY SUCH AGREEMENT IS UNACCEPTABLE TO THIS COMMITTEE AND WOULD HAMPER THE INVESTIGATION NOW IN PROGRESS," FLYNT SAID. AT JAWORSKI'S URGING, FLYNT'S COMMITTEE LAST SUMMER SPONSORED A HOUSE RESOLUTION, ADOPTED 407-0, URGING THE KOREANS TO COOPERATE IN THE INVESTIGATION.

"CONGRESS IS ENTITLED TO THE TESTIMONY OF TONGSUN PARK TO THE SAME EXTENT AS ANY OTHER BRANCH OF OUR GOVERNMENT AND HIS TESTIMONY SHOULD BE MADE AVAILABLE TO THIS COMMITTEE AT AN EARLY DATE SO AS TO AVOID UNDUE DELAYS IN THE COMMITTEE'S HEARINGS," FLYNT SAID.

JAWORSKI HAS HAD FREQUENT CONTACTS WITH BOTH THE STATE AND JUSTICE DEPARTMENTS IN THE INVESTIGATION, BUT WOULD NOT SAY IF HE HAD CONFIRMED THE EXPECTED AGREEMENT THROUGH THESE SOURCES.

HE COMPLAINED TO THE SOUTH KOREANS IN THE WAKE OF CONTINUING REPORTS FROM SEOUL ABOUT NEGOTIATIONS TO SECURE THE RETURN OF PARK, A FORMER WASHINGTON BUSINESSMAN AND SOCIAL FIGURE. PARK WOULD BE EXPECTED TO TESTIFY AT THE TRIALS OF FORMER REP. RICHARD T. HANNA, D-CALIF., AND HANCHO KIM, INDICATED SEPARATELY IN THE SCANDAL ALONG WITH PARK HIMSELF.

HANNA'S TRIAL IS SCHEDULED TO BEGIN JAN. 9 ON CHARGES OF BRIBERY, CONSPIRACY, MAIL FRAUD, AND FAILING TO REGISTER AS A FOREIGN AGENT. KIM, A BUSINESSMAN, IS ACCUSED OF TAX EVASION AND LYING TO A FEDERAL GRAND JURY IN AN ALLEGED DOLS 600,000 SCHEME TO USE KCIA MONEY
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TO BUY U.S. INFLUENCE.

PARK, THE FIRST PERSON INDICTED, IS ACCUSED OF CONSPIRACY TO DEFRAUD THE U.S. GOVERNMENT, BRIBERY, FAILING TO REGISTER AS A FOREIGN AGENT, MAIL FRAUD AND MAKING ILLEGAL POLITICAL CONTRIBUTIONS.

THE NEW YORK TIMES REPORTED YESTERDAY THAT U.S. AND SOUTH KOREAN OFFICIALS WERE EXPECTED TO SIGN AN AGREEMENT NEXT WEEK, CALLING FOR PARK'S RETURN TO WASHINGTON NEXT MONTH TO TESTIFY ABOUT HIS ROLE IN KOREAN INFLUENCE BUYING SCHEMES.

ALTHOUGH PARK WAS INDICTED BY A FEDERAL GRAND JURY IN WASHINGTON IN THE CASE, THE ARRANGEMENT APPARENTLY WOULD PROVIDE FOR THE DROPPING OF CHARGES AGAINST THE RICE MERCHANT IN RETURN FOR HIS COOPERATION WITH FEDERAL PROSECUTORS IN PROVIDING EVIDENCE AGAINST PERSONS HE ALLEGEDLY HELPED CORRUPT OR JOINED IN PEDDLING INFLUENCE.

ONE OF THE KEYS TO THE AGREEMENT, ACCORDING TO REPORTS FROM SEOUL, IS THE SOUTH KOREAN GOVERNMENT'S INSISTENCE THAT PARK NOT BE ALLOWED TO TESTIFY BEFORE ANY OF THE CONGRESSIONAL COMMITTEES INVESTIGATING THE CASE. IT WANTS A U.S. GUARANTEE OF HIS IMMEDIATE RETURN TO SEOUL AFTER HIS TESTIMONY UNDER THE JUSTICE DEPARTMENT'S PROTECTION.

"CONGRESS IS NOT BOUND BY ANY AGREEMENT ENTERED INTO BY THE EXECUTIVE BRANCH," SAID JAWORSKI.
"FURTHERMORE, I AM CERTAIN THAT MEMBERS OF CONGRESS WILL DEPLORE ANY EFFORT TO DEPRIVE THE LEGISLATIVE BRANCH OF ACCESS TO A KEY WITNESS IN AN INVESTIGATION THAT IS FOCUSED UPON CONGRESS ITSELF," JAWORSKI SAID.

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"I FORMLY BELIEVE THAT THE REACTION OF OUR LEGISLATORS AND OF AMERICAN PEOPLE TO ANY ARRANGEMENT THAT HAMPERS OUR INVESTIGATION WILL BE CRITICAL AND ADVERSE TO SOUTH KOREAN INTERESTS," JAWORSKI SAID.

IN A SPEECH IN NEW YORK CITY A WEEK AGO, JAWORSKI STRONGLY SUGGESTED THAT U.S. FINANCIAL AID TO SOUTH KOREA BE CUT OFF IF PRESIDENT PARK CHUNG HEE'S GOVERNMENT CONTINUES TO "WAFFLE" ON THE INVESTIGATION OF THE ACTIVITIES OF TONGSUN PARK AND THE KOREAN CENTRAL INTELLIGENCE AGENCY. HE SAID THAT'S NO WAY FOR AN ALLY TO ACT.

BECAUSE OF ANTI-KOREAN SENTIMENT STEMMING FROM THE SCANDAL, CONGRESSIONAL LEADERS ALREADY HAVE POSTPONED UNTIL NEXT YEAR ACTION ON PRESIDENT CARTER'S REQUEST FOR AUTHORITY TO TRANSFER TO SOUTH KOREA DOLS 800 MILLION IN MILITARY EQUIPMENT AS U.S. GROUND TROOPS ARE WITHDRAWN FROM THAT COUNTRY.

IN SEPTEMBER, THE HOUSE INDICATED THAT IF ITS LEADERS GIVE THE WORD, IT MAY BE WILLING TO VOTE TO CUT OFF DOLS 114 MILLION IN RICE, WHEAT AND COTTON COMMODITIES CREDIT TO SOUTH KOREA IF IT DOES NOT COOPERATE WITH THE CONGRESSIONAL INVESTIGATION.

AT THAT TIME, IT VOTED 181-205 AGAINST A MOTION BY

REP. BRUCE F. CAPUTO, R-N.Y., TO STRIKE THE PROGRAM FROM THE CONGRESSIONAL BUDGET RESOLUTION. IT WAS DEFEATED ONLY AFTER CONGRESSIONAL LEADERS URGED LEGISLATORS TO ALLOW NEGOTIATIONS TO CONTINUE BEFORE TAKING SUCH ACTION.

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BUT THE CLOSENESS OF THAT VOTE STARTLED PRO-KOREAN CONGRESSMEN. IT'S THE CONVENTIONAL WISDOM ON CAPITOL HILL THAT IF SUCH ACTION WERE REQUESTED BY JAWORSKI THROUGH FLYNT AND HOUSE SPEAKER THOMAS P. O'NEILL JR., THE HOUSE -- UNDER CONSIDERABLE PRESSURE BECAUSE OF THE CLOUD THE SCANDAL HAS CAST OVER CONGRESS -- WOULD OBLIGE. UNQUOTE. CHRISTOPHER

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